

AO 91 (Rev. 08/09) Criminal Complaint

111

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America
v.
Mark W. Wolfe
11720 Kilbourne Road
Sunbury, OH 43074

Case No.

2:15-mj-515

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 9/1/2010 to 7/28/2015 in the county of Delaware in the
Southern District of Ohio, the defendant(s) violated:

Code Section
18 U.S.C. 2252(a)(2)

Offense Description
Receipt and distribution of visual depictions of minors engaged in sexually
explicit activity via a means or facility of interstate commerce

This criminal complaint is based on these facts:

See attached affidavit incorporated herein by reference

☒ Continued on the attached sheet.



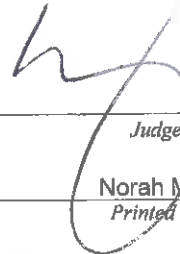
Complainant's signature

FBI TFO Brett M. Peachey
Printed name and title

Sworn to before me and signed in my presence.

Date: 8/10/15

City and state: Columbus, Ohio



Judge's signature

Norah McCann King
Printed name and title

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT, EASTERN DIVISION OF OHIO**

In the Matter of the Criminal Complaint:

United States of America

V.

**Mark W. Wolfe
11720 Kilbourne Road
Sunbury, OH 43074**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Brett M. Peachey, a Task Force Officer with the Federal Bureau of Investigation, Columbus Resident Agency, being first duly sworn, hereby depose and state as follows:

1. I, TFO Brett Peachey (your affiant), make this affidavit in support of a criminal complaint to arrest for violations of Title 18 United States Code (U.S.C) 2252 (a)(2) (Receipt and Distribution of Child Pornography). Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, your affiant did not include each and every fact known concerning this investigation. Your affiant did not withhold any information or evidence that would negate probable cause. Your affiant set forth only the facts that are believed to be necessary to establish probable cause that Mark W. WOLFE committed the violations listed above.

2. Your affiant has been employed as a police officer for the Westerville Police Department since December of 1995. Since March of 2008, your affiant has been assigned to the Cyber Crimes and Violent Crimes Task Force with the Federal Bureau of Investigation, Cincinnati Division, Columbus Resident Agency, conducting online child enticement and child pornography investigations. Your affiant is also a member of the Franklin County Internet Crimes Against Children Task Force in Columbus, OH investigating similar crimes. Your affiant has gained experience through a Bachelor of Arts Degree in Criminology, and has received specialized training in the area of internet crimes involving child exploitation, child pornography investigations and computer forensics. Your affiant has been involved in hundreds of investigations involving internet crimes against children, resulting in dozens of felony arrests and convictions. As a task force officer with the FBI, your affiant is authorized to investigate violations of the laws of the United States under the authority of the United States.

3. On June 5, 2015, at approximately 12:32 AM (EDT), SA David Knight of the FBI Columbus Resident Agency, while working in an undercover capacity, was conducting an online internet investigation involving subjects possessing and distributing child pornography files utilizing a free publicly-available peer to peer file sharing program. On the above date and time, SA Knight observed internet protocol (IP) address 24.93.110.141 as a download candidate for suspected child pornography. On this date, the software program utilized by SA Knight was able to make a direct connection with a computer utilizing IP address 24.93.110.141 and successfully download three video files. The title and description of the three files downloaded by SA Knight are as follows:

(pthc) youngvideomodels daphne 4 nude.avi- This two minute and 14 second video begins with the words "DAPHNE #4 9 YEARS OLD." The video then depicts a nude prepubescent female,

approximately eight to ten years of age, seated nude on a chair. The child begins to pose for the camera and, on two occasions, the camera zooms in on her face and then pans down to her vagina.

(pthc center)(opva 2014) 11y katerin enjoy pussy fuck Venezuela.avi- This two minute and 46 second video depicts a female, nude from the waist down, engaged in sexual intercourse with an adult male. The camera zooms in several times on the man's penis entering her vagina as well as the child's face. The child appears to be ten to 12 years of age and has no pubic hair.

15 yr jovencita Hermosa.mpg- This 15 minute and 51 second video depicts a female on webcam. She is dressed in the beginning of the video but soon undresses to expose her breasts and vagina. At one point the webcam zooms in to her vagina and it appears as if she is masturbating. The female appears to be under the age of 18 although it is difficult to determine due to her physical development.

4. Further investigation revealed that the suspect IP address is owned by Time Warner Cable. An administrative subpoena was served upon Time Warner Cable requesting subscriber information for the suspect IP address at the date and time period that the above-described child pornography files were downloaded. Time Warner Cable responded with the following information regarding the subscriber of the suspect IP address at the date and time of the child pornography downloads:

Name: Mark WOLFE
Address: 11720 Kilbourne Road
Sunbury, OH 43074

5. During the course of the investigation, your affiant discovered that Sgt. Doug Cruse of the Belmont County (OH) Sheriff's Office also downloaded files of child pornography from IP address 24.93.110.141 during an undercover investigation. On June 3, 2015, the computer that Sgt. Cruse was utilizing in Belmont County, OH was able to make a direct connection with a computer associated with IP address 24.93.110.141 and download four video files. Below are the titles and descriptions of three of the video files downloaded by Sgt. Cruse:

(pthc) (liluplanet) (lordofthering) american girl pt1.avi- This 33 second video depicts a nude female, approximately eleven to thirteen years of age, performing oral sex on an adult male. Your affiant believed that this video depicted a previously identified known child victim. A sanitized image of the child in the video was sent to the National Center of Missing and Exploited Children on June 29, 2015 for confirmation. That same day your affiant received a response confirming that the female is an identified child.

(pthc center)(opva 2014) 11y katerin enjoy pussy fuck venezuela.avi- This is the same video listed and described in paragraph 3 above.

(pthc) jho with 12yo.avi- This video was only partially downloaded by Sgt. Cruse. The first few seconds of the video depicts a nude female, approximately ten to twelve years of age, in the shower at which point the camera zooms in on the child's vagina. The last few seconds of the video depicts, what is believed to be, the same female lying nude on a bed. She appears to be masturbating while a nude adult male is lying beside her.

On June 16, 2015, Sgt. Cruse was able to download an additional partial video file from a computer associated with IP address 24.93.110.141. Below is the title and description of the video file:

(sdpa) nena de 11 a%c3%b1os por la cola.mpg-This partial video depicts a child who has been previously identified as a known child victim by the National Center For Missing and Exploited Children. The first portion of the video depicts a female, approximately eleven to thirteen years of age, masturbating a nude adult male. The video then depicts a close up of what appeared to be the same female masturbating with a sexual device.

6. On July 31, 2015, a search warrant was executed at 11720 Kilbourne Road, Sunbury, OH 43074 which is located in the Southern District of Ohio. A Dell laptop computer, which belonged to Mark WOLFE, was seized from a home office. At that time, investigators observed that the computer was password protected. In an interview with Wolfe's wife on the scene, she advised that the only person to know the password and access the computer was Mark WOLFE.

7. A preliminary forensic examination of the Dell laptop computer yielded approximately 486 videos and 203 images of child pornography depicting prepubescent males and females lasciviously displaying their genitals, masturbating, or engaged in sexual activity with other children, adult males, or adult females. These files were located in several folders that were located on the desktop of the computer under the user name "Mark." The file creation date for these files ranged from September 1, 2010 to July 28, 2015, and included the six videos described above that were downloaded by SA Knight and Det. Cruse during the course of the investigation.

8. One of the video files recovered from this computer was titled "1yr boy + man-cum.avi." This two minute and 46 second video depicts a nude male child, approximately eight to ten months old. An adult male, nude from the waist down, is straddling the child. The adult male rubs his erect penis on the child's buttocks and then attempts several times to forcibly put his penis into the child's mouth as the child begins to cry. At the end of the video, the adult male masturbates until he ejaculates on the child.

9. In addition, evidence of the file sharing program that was used by SA Knight and Det. Cruse to download the child pornography files described above was found to be installed on WOLFE's Dell computer. Further examination revealed that multiple search terms indicative of child pornography were used to search for files on this file sharing program.

10. Further forensic analysis of the Dell laptop computer revealed Skype chat messages between a subject who identified himself as Mark WOLFE and several other individuals between September 15, 2014 and June 17, 2015. In several of these conversations, WOLFE discussed his sexual interest in children and appeared to disseminate files though Skype. The files, when compared with the file names that were found on the laptop computer, appeared to be child pornography. Below are several examples of the conversations between WOLFE and various subjects:

-On September 15, 2014, WOLFE asked an individual with whom he was communicating what the other individual's favorite age is. Before the subject could reply, WOLFE stated that "mine is 5-10."

-On January 7, 2015, WOLFE told another individual that he has engaged in sexual intercourse with a 13-year-old girl in the past who was the daughter of a friend. The other individual later asked if WOLFE would engage in sexual activity with a five year old child, to which WOLFE replied "mmmmmmmmmm" and "yes." The other individual then asked Wolfe if he would be willing to show his children on webcam and WOLFE replied "I have before if the cam partner is also showing theirs." When WOLFE asked what the other individual would like to see WOLFE's children do on webcam, the other individual responded that "it would be illegal," and then stated that he would like to see WOLFE's sons' penises. WOLFE then stated that, "I will think about it. Would you have anything to also show me?" The subject then asked WOLFE if he "would ever do something with them," to which WOLFE replied "I have

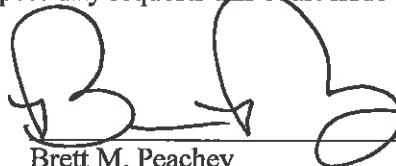
played with them when they were younger...around 2 years.” When asked what he did with the children, WOLFE stated: “sucked” and “they were young but didn’t seem to mind lol..they got hard.”

-On June 5, 2015, WOLFE was communicating with another individual who asked him, “do you have young with you” and “do you have little one there?” WOLFE responded that his children were in the house, and the other individual stated “show your little one.” WOLFE replied that, “I can’t do that until I know you a lot better..do you have a little one there? If you did show yours I will show mine.” WOLFE then asked the other individual, “can I see your little one,” and then stated “do you have little ones there? I will play with mine if you do also.”

11. During the course of the investigation of WOLFE, your affiant has learned that WOLFE has two sons who are under the age of 10, as well as a toddler age daughter. All of these children reside in WOLFE’s home with him.

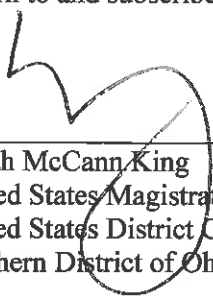
12. Additional digital media were also seized from WOLFE’s residence, including a desktop computer, an external hard drive and several DVDs. Both the desktop computer and the DVDs contained links and/or search terms indicating that they had been used to search for, download, or view child pornography files. Additionally, the DVDs contained child pornography videos that were recorded from a computer monitor. The files on these discs were similar to child pornography videos recovered from WOLFE’s laptop computer.

13. Based upon the above information, your affiant submits that there is probable cause to believe Mark W. Wolfe has committed the offenses of Receipt and Distribution of Child Pornography in violation of 18 U.S.C. 2252(a)(2). Therefore, your affiant respectfully requests this court issue a criminal complaint and arrest warrant.



Brett M. Peachey
Task Force Officer
Federal Bureau of Investigation

Sworn to and subscribed before me this 10th day of August, 2015.



Norah McCann King
United States Magistrate Judge
United States District Court
Southern District of Ohio